



MAINE STATE LEGISLATURE

AUGUSTA, MAINE 04333-0003

September 8, 2025

The Honorable Craig Hickman, Chair
The Honorable Anne-Marie Mastraccio, Chair
C/O Office of Program Evaluation and Government Accountability
82 State House Station
Augusta, ME 04333

Dear Chair Hickman, Chair Mastraccio, and Fellow Committee Members:

On Aug. 28, members of the Government Oversight Committee (GOC) received an email from Mr. Ryan Michaels detailing a quote he received the prior day from the Department of Health and Human Services (DHHS) regarding his request for information under the Freedom of Access Act (FOAA). Mr. Michaels requested access to the Department's records concerning him, his children, his "coparent" and her children. The estimated cost from DHHS was \$50,875 and a timeline of 12 months.

To put this into perspective, DHHS quoted him an amount that is nearly equivalent to the median salary in the state. Fees of this magnitude usurp the legislative intent of the Freedom of Access Act and are a nearly unattainable hurdle for citizens trying to access public information.

We are also concerned that the final quote does not reflect the actual work being done. In essence, the Department's justification does not add up. In responding to Mr. Michaels' request as to what constituted this charge, DHHS said 15,282 records were identified; and it would take four minutes to read each email. If you do the math on their own numbers, it should take 61,128 minutes to read those emails as opposed to the 122,256 minutes quoted by DHHS. If the fee is not justified by the reason the Department provided to Mr. Michaels, then what justifies it?

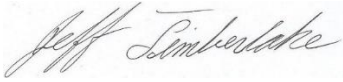
Furthermore, we are surprised to hear that it will take four minutes to conduct a simple key word search despite our "state-of-the-art" Katahdin software. We were told this system would increase efficiency, but clearly that claim has yet to be proven. The time estimate provided to Mr. Michaels is unacceptable.

Mr. Michaels mentioned that a similar search in other states would cost approximately \$200. Why would it cost so much more here in Maine? Whether the answer is interest, inefficiency or incompetence, Maine people deserve to know the cause of these prohibitively expensive prices to comply with FOAA requests, especially if the underlying reason is to discourage such requests.

On Feb. 14, we presented another case to the Committee regarding a FOAA request made by WMTW, which resulted in a DHHS quote of \$250,000. In response, GOC voted to open an investigation. We are asking the Committee to have the Office of Program Evaluation and Government Accountability expand the scope of that investigation to include private requests such as Mr. Michaels'. We believe expanding the investigation will allow this body to understand the extent of the problem of high charges and deliver corrective action for the people of Maine.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script, reading "Jeff Timberlake".

Jeffrey Timberlake
State Senator, District 17

A handwritten signature in cursive script, reading "Brad Farrin".

Brad Farrin
State Senator, District 3

Cc: Members, Government Oversight Committee
Peter Schleck, Director, Office of Program Evaluation and Government Accountability
Members, Joint Standing Committee on Health and Human Services